

COUNTY COUNCIL
OF
HARFORD COUNTY, MARYLAND

BILL NO. 96-36

Introduced by Council President Parrott at the request of the County Executive

Legislative Day No. 96-21 Date July 2, 1996

AN ACT to propose an amendment to Article V, Budget and Finance, of the Harford County Charter, as amended, by repealing and reenacting, with amendments, Section 524, Indebtedness; to provide greater flexibility in the structuring of the principal payments over the life of the bonds as they relate to the useful life of the improvement; to provide that the improvement may be sold at, above, or below par; and to require the submission of this amendment to the legally qualified voters of Harford County for their adoption or rejection, in accordance with Section 905 of the Harford County Charter.

By the Council, July 2, 1996

Introduced, read first time, ordered posted and public hearing scheduled

on: August 6, 1996

at: 6:30 p.m.

By Order: James D. Varney, Acting Secretary

PUBLIC HEARING

Having been posted and notice of time and place of hearing and title of Bill having been published according to the Charter, a public hearing was held on August 6, 1996, and concluded on August 6, 1996

James D. Varney, Acting Secretary

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [Brackets] indicate matter deleted from existing law. Underlining indicates language added to Bill by amendment. Language lined through indicates matter stricken out of Bill by amendment.

1 Section 1. Be It Enacted By The County Council of Harford County, Maryland, that Section
2 524, Indebtedness, of Article V, Budget and Finance, of the Harford County Charter, as
3 amended, be, and it is hereby, repealed and reenacted with amendments, to read as follows:

4 Article V. Budget and Finance.

5 Section 524. Indebtedness.

6 (a) The County may incur debt. No indebtedness for a term of [more than] one year OR
7 GREATER shall be incurred by the County to meet current operating expenses. All
8 County indebtedness for a term in excess of one year shall [be on a serial maturity plan
9 providing for the maturity of the series in consecutive annual installments, no one of
10 which shall be less than fifty percent of the amount of any other installment of the series;
11 and the last installment of the series shall become due not later than thirty years after the
12 date of issuance. The County may, however, enter into installment contracts to purchase
13 easements for agricultural land preservation purposes, in which a variety of installment
14 payment plans may be used for payment of the debt, and such contracts shall not be
15 subject to the fifty percent limitation provided for herein. The primary source of revenue
16 for the repayment of indebtedness incurred to purchase easements for agricultural land
17 preservation purposes shall be a transfer tax on instruments of writing which convey title
18 to, or a leasehold interest in, real property in the County.] BECOME DUE NOT LATER
19 THAN 30 YEARS AFTER THE DATE OF ISSUANCE, EXCEPT DEBT INCURRED
20 TO FINANCE WATER, SEWER AND WASTEWATER FACILITIES, WHICH
21 SHALL BECOME DUE NOT LATER THAN 40 YEARS AFTER THE DATE OF
22 ISSUANCE.

1 (b) If at any time the Council shall have failed to appropriate and to make available sufficient
2 funds to provide for the timely payment of the interest and principal then due upon all
3 County indebtedness, it shall be the duty of the Treasurer to pay, or to make available
4 for payment, to the holders of such indebtedness from the first revenues thereafter
5 received applicable to the general funds of the County, a sum equal to such interest and
6 principal.

7 (C) NOTWITHSTANDING THE TIME LIMITATIONS FOR REPAYMENT IN (A), EACH
8 SERIES OF BONDED INDEBTEDNESS SHALL BE MADE PAYABLE WITHIN THE
9 PROBABLE USEFUL LIFE OF THE IMPROVEMENT OR UNDERTAKING WITH
10 RESPECT TO WHICH THE INDEBTEDNESS IS TO BE INCURRED, OR IF THE
11 INDEBTEDNESS IS TO BE INCURRED FOR SEVERAL IMPROVEMENTS OR
12 UNDERTAKINGS, WITHIN THE AVERAGE PROBABLE USEFUL LIFE OF ALL
13 SUCH IMPROVEMENTS OR UNDERTAKINGS, AND THE COUNTY COUNCIL,
14 BASED UPON THE ADVICE OF THE DEPARTMENT OF THE TREASURY,
15 SHALL DETERMINE THE PROBABLE USEFUL LIFE OF SUCH IMPROVEMENTS
16 OR UNDERTAKINGS, WHICH DETERMINATION SHALL BE CONCLUSIVE.


17 (D) INDEBTEDNESS OF THE COUNTY MAY BE SOLD AT, ABOVE, OR BELOW
18 PAR.

19 Section 2. And Be It Further Enacted, that before this Act becomes effective, it shall be
20 submitted to a Referendum of the legally qualified voters of Harford County in accordance with
21 Section 905 of the Charter of Harford County, Maryland, at the General Election to be held in
22 November 1996. There shall be printed on the ballots or ballot labels used at this election a

1 brief summary in understandable language of the purpose of this Act, and underneath the
2 summary, on separate lines, a square or box to the right of and opposite the words, "For __,"
3 and a corresponding square or box to the right of and opposite the words "Against __," so that
4 each voter may vote for or against the provisions of this Act. If a majority of the votes cast in
5 the election are "For _____," the provisions of this Act shall become effective from and after
6 the thirtieth (30th) calendar day following the election, but if a majority of the votes cast in the
7 election are "Against _____," the provisions of this Act shall be of no effect and null and void.
8 Section 3. And Be It Further Enacted that, subject to the provisions of Section 2 of this Act
9 and for the sole purpose of providing for the referendum therein required, this Act shall take
10 effect sixty (60) calendar days from the date it becomes law.

EFFECTIVE: October 15, 1996

The Secretary of the Council
does hereby certify that 15 copies
of this Bill are immediately
available for distribution to the
public and the press.



Acting Secretary

HARFORD COUNTY BILL NO. 96-36(Brief Title) Charter Amendment - County Indebtedness

is herewith submitted to the County Council of Harford County for enrollment as being the text as finally passed.

CERTIFIED TRUE AND CORRECT

ENROLLED

James D. Vannoy
Acting Secretary
of the Council

Joanne S. Parrott
President of the Council

Date August 6, 1996Date August 6, 1996

BY THE COUNCIL

Read the third time.

Passed: LSD 96-23 (August 6, 1996)

Failed of Passage: _____

By Order

James D. Vannoy
Acting Secretary

Sealed with the County Seal and presented to the County Executive for approval this 8th day of August, 1996 at 3:00 p.m.

James D. Vannoy
Acting Secretary

BY THE EXECUTIVE

Eileen M. Redman
COUNTY EXECUTIVE

APPROVED: Date August 13, 1996

BY THE COUNCIL

This Bill (No. 96-36), having been approved by the Executive and returned to the Council, becomes law on August 13, 1996 for the sole purpose of providing for referendum therein required and subject to the provisions of Section 2 and Section 3 of the Bill.

James D. Vannoy
Acting Secretary

EFFECTIVE DATE: October 15, 1996